

## REMARKS

### *Interview and Restriction Requirement/Election of Claims*

During the interview on February 5, 2010, the Examiner restricted the claims in this application to group 1 (claims 44 and 46-48), group 2 (claims 49-50 and 52-55), group 3 (claims 56-68). Applicants elected group 1, claims 44 and 46-48 without traverse.

The Examiner suggested that claim 44 be amended to remove alleged “intended use” language. While Applicants disagree that the previous claim language was “intended use,” Applicants have nevertheless amended the claims to more positively recite the invention.

### *Double Patenting*

The Examiner rejected the claims for obviousness-type double patenting over U.S. Patent No. 7,099,838. Applicants have filed a terminal disclaimer which should obviate this rejection.

### *Claim Rejections Under 35 U.S.C. § 103*

The Examiner rejected the claims under 35 U.S.C. § 103(a) over Dembo (U.S. Patent No. 5,799,287) in view of Gibbons *et al.* and Greene. During the interview on February 5, 2010, Applicants explained that Dembo, Gibbons, and Greene, either individually or in any combination, neither disclose nor suggest “the hedging basket of securities does not reveal the fund assets,” and “the fund assets are not disclosed to the trader.”

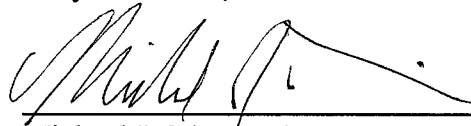
## CONCLUSION

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Michael Stimson at (949) 759-3961.

Prompt and favorable consideration of this Amendment is respectfully requested.

Date: May 18, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Stimson", written over a horizontal line.

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